



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 351-4545 • fax (217) 403-6924 • www.ci.champaign.il.us

August 13, 2012

[REDACTED]
[REDACTED]
[REDACTED]
Champaign, IL 61821

Dear Gentlemen,

An investigation into your complaint alleging employee misconduct has been completed. Your complaint was investigated by a District Lieutenant and then reviewed by a Deputy Chief and me. The investigation resulted in the following conclusions:

You filed a complaint alleging that officers used an unreasonable amount of force during the arrest of [REDACTED] and that an officer made a discourteous comment to [REDACTED] following [REDACTED] arrest. Our investigation revealed that the officers' use of force was within policy, and our investigation revealed that the officer who later spoke with [REDACTED] acted professionally and did not use any profane language or make any inappropriate comments

You may request that the City Manager review my decision. This request must be made within 30 days. If you have questions, please call me at 217-403-6911.

I appreciate your concern in bringing this matter to my attention.

Respectfully,

Anthony Cobb
Chief of Police

12-05



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 403.7000 fax (217) 403-7022 • www.ci.champaign.il.us

To: Chief Anthony Cobb
Lieutenant Jon Swenson

From: Lieutenant David Shaffer

Date: July 22, 2012

Re: [REDACTED] complaint

SUMMARY:

On April 19, 2012, Champaign Police Department officers were dispatched to the area of [REDACTED] for a reported theft which has just occurred. While en route to the scene, responding officers were advised that the suspect; later identified as [REDACTED], was reportedly armed with a knife and metal pole. As officers arrived on scene, [REDACTED] fled from officer(s) and hid in a grassy area near his residence at [REDACTED]. Officers placed [REDACTED] under arrest and he was positively identified in an on scene show up.

During the evening of April 19, 2012, WCIA aired a news report which suggested "another" incident of excessive force by police and referenced this arrest. WCIA aired two interviews from individuals; that claimed an officer "choked" [REDACTED] during his arrest. According to police reports, Officer Matt Rush indicates in his report he physically grasped [REDACTED] chin, and turned his head away to prevent [REDACTED] from spitting on himself and other officers.

[REDACTED] was transported to the Champaign County Correctional Center and the Champaign County State's Attorney's office later filed Theft and Aggravated Assault charges against [REDACTED].

INVESTIGATION:

On April 23, 2012, Deputy Chief Gallo requested I conduct an inquiry into the incident to determine if information existed which supported the allegations made during the television interview. At the conclusion of the inquiry, no information was discovered which supported the allegations of excessive force by officers involved in the arrest of [REDACTED].

On May 2, 2012, [REDACTED] submitted an Employee Conduct Form, filing an official complaint against officers involved in the incident. [REDACTED] complaint lists two primary allegations:

- Discourteous comment made by Officer Douglas Kimme
- Unreasonable / excessive force used during the arrest of [REDACTED]

On May 3, 2012, Deputy Chief Nearing notified me of this complaint and requested that I conduct an investigation into this incident. The following information documents the findings of the administrative investigation.

REVIEW OF INCIDENT REPORT C12-03805

On April 19, 2012, several Champaign Police Department officers responded to the area of Summit Ridge Dr. and Winston Dr. for a report of a man with a knife. The first officer to arrive on scene was Officer Douglas Kimme, who observed a subject; later identified as [REDACTED], armed with a pipe. This subject immediately fled on foot and was apprehended a short time later behind 1602 Hedge Rd. by Officer C. Young.

As [REDACTED] was being escorted to an awaiting squad car, Officer Matt Rush joined them to assist. Officer Rush describes in his report the demeanor and actions of [REDACTED], which included "clenching his fist" along with a verbal comment of "man, I will beat your ass." Officer Rush further described [REDACTED] to "take a deep breath and purse his lips"; leading Officer Rush to believe [REDACTED] was "preparing to spit towards Officer C. Young or myself."

Officer Rush describes holding [REDACTED]'s chin/jaw in an attempt to prevent this action by [REDACTED], and clearly indicates that he did not "choke" or apply pressure to [REDACTED]'s throat. [REDACTED] did not report any injury as a result of his arrest and was subsequently charged by the Champaign County State's Attorney's Office with two (2) counts of Aggravated Assault. (12-CF-0634).

For additional details, refer to the reports submitted by Officer Kimme, Officer C. Young and Officer Rush.

INVESTIGATIVE INTERVIEWS

The following summaries highlight interviews conducted during the investigation. For full details, refer to the interview report (s) included with this administrative report.

On June 12, 2012, I met with Officer Douglas Kimme regarding this complaint investigation. Officer Kimme advised he responded to the area of Summit Ridge & Winston for a report of a man with a knife. The suspect, later identified as [REDACTED], was located near the intersection of Summit Ridge & Cruising Lane. and fled on foot when he observed Officer Kimme.

Officer Kimme subsequently met with the victim(s), identified as [REDACTED] as they spoke with a subject identified as [REDACTED]. Officer Kimme asked [REDACTED] if he knew the suspect, and learned from [REDACTED] the suspect was [REDACTED].

Officer Kimme conducted interviews of the victims and learned [REDACTED] held a railroad spike in the air as if he intended to stab someone. Once [REDACTED] was apprehended, a show up was completed, and both victims positively identified [REDACTED].

Officer Kimme did not see Officer Rush, or any Champaign Police officer choking [REDACTED]. Officer Kimme denied making any comment similar to "if it was my yard, cause I would have killed him."

For additional details, refer to the report of detailing the interview of Officer Kimme.

On June 14, 2012, I spoke with Officer Christopher Young of the Champaign Police Department. Officer Young reports he responded to the area after the call was dispatched and upon arrival, Officer Kimme was already on scene. During a search for the suspect, he learned [REDACTED] was a possible residence for the suspect, and ultimately located [REDACTED]s hiding behind the residence.

Officer Young reports [REDACTED]s concealed himself in tall grass and therefore he ordered [REDACTED]s into view at gunpoint. [REDACTED] was placed under arrest and escorted to an awaiting squad car. Officer Young described [REDACTED]s as "uncooperative" "mouthy" and "obnoxious." Officer Young added he was searching [REDACTED]s after the arrest, and was focused on a lower extremity when he started hearing onlooker(s) claim [REDACTED]s was being choked. Officer Young reports he did not see Officer Rush choke or grasp [REDACTED].

For additional details, refer to the report detailing the interview with Officer C. Young.

On June 20, 2012, I spoke with [REDACTED] via telephone regarding this investigation.

[REDACTED] witnessed [REDACTED]s taking a cellular phone from a table in a yard, prompting [REDACTED], along with his brother [REDACTED], to pursue [REDACTED]s on foot. [REDACTED]s fled from the area and he ([REDACTED]) later provided a statement to Officer Kimme after he arrived on scene.

[REDACTED] indicated [REDACTED]s approached them and was initially "nice"; however, he ([REDACTED]) eventually changed his demeanor and threatened to contact a lawyer over the incident. When asked about a comment(s) involving a firearm, [REDACTED] stated he made a comment to [REDACTED]s that he had a FOID card and that he was "legal", implying he was legally able to possess a firearm.

[REDACTED] added Officer Kimme did not make any statement regarding a threat to shoot anyone, adding Officer Kimme "never said anything like that."

[REDACTED] further stated that he and his brother [REDACTED] were transported by Officer Kimme to Garden Hills Dr. for a show up, where he witnessed an officer assist [REDACTED]s from a squad car. [REDACTED] witnessed no physical contact between officers and [REDACTED].

For additional details, refer to the interview report of [REDACTED].

On June 20, 2012, I interviewed [REDACTED] regarding this complaint investigation.

[REDACTED] initially described the theft of a cellular phone from a table in the back yard of a residence where he and his brother [REDACTED] were located. The suspect fled from the scene and was pursued by [REDACTED] and his brother. Once they stopped their pursuit of the suspect, they returned to the scene and met with Officer Kimme from the Champaign Police Department.

While speaking with Officer Kimme, [REDACTED] interjected himself into the conversation and threatened to retain an attorney over the incident. [REDACTED] described a threat initially made by [REDACTED] (suspect) and stated that [REDACTED] made a comment about a firearm. [REDACTED] confirmed that his brother [REDACTED] had responded with a comment about having a FOID card and that he was "legal."

When questioned about Officer Kimme's conduct, [REDACTED] stated Officer Kimme did not make any comment about shooting or killing anyone and possibly attributed the comment to his brother, but he was adamant that any comment did not originate from Officer Kimme. In contrast, Joseph indicated that Officer Kimme tried to have everyone remain calm kept trying to calm everyone down and instructed [REDACTED] to leave.

Ultimately, Officer Kimme transported [REDACTED] and his brother to another location for a show up where they identified [REDACTED] as the suspect. [REDACTED] did not witness any officer choke or assault [REDACTED].

For additional details, refer to the interview report of [REDACTED].

It should be noted that during the administrative inquiry dated April 25, 2012, several attempts were made to interview "witnesses" that were featured in the news report on WCIA. None of the individuals featured in the news broadcast have availed themselves to an interview with police, and to date, none of the "witnesses" have offered to meet with officers from the Champaign Police Department to discuss this incident. Previous attempts to interview these witnesses are thoroughly documented in the administrative inquiry dated April 25, 2012.

In addition, listed in the same inquiry are the results of a neighborhood canvass which was conducted to determine if any resident in the neighborhood was a witness to the incident. During the canvass, no additional witnesses were identified as observing the arrest of [REDACTED], and none of the people identified in the canvass could offer any information that was of relevance to this investigation.

REVIEW OF SQUAD CAR VIDEO

As indicated in the original inquiry, the only available squad car audio/video footage relevant to this incident is from Squad 53, which was being driven by Officer Rush. The video is unremarkable; however, the audio is activated during the incident and captures voice conversation and communications during the contact with [REDACTED].

The video review associated with this investigation was originally reviewed during the administrative inquiry on April 25, 2012. The time stamp and audio recordings are summarized during the inquiry. A copy of the administrative inquiry is included with this report.

CHAMPAIGN POLICE DEPARTMENT POLICY AND PROCEDURE

Champaign Police Department policy is intended to provide guidance to officers and outlines acceptable performance which is based in conjunction with department rules and when appropriate, state law. There are several departmental policies pertinent to the incident, and are listed below:

Champaign Police Department Policy 1.3 (C) regarding Use of Force states in part:

When feasible, the safety of a criminal offender or suspect will be considered and alternatives may be utilized. However, the safety of a criminal offender or suspect will not take precedence over the safety of a victim, other person, and/or a police officer.

Champaign Police Department Policy 1.3.1 Force Necessary to Accomplish Lawful Objectives states in part:

A. State law and the City of Champaign have entrusted its police officers with the unique powers and authority designated to assist them in performing their duties. Officers, under certain circumstances, have the right to apply force, including lethal force, on another human being. Such application will be based upon the reasonable belief that such force is warranted and justified based upon current laws and the policies of this Department.

B. Use of Force Principles.

1. An officer may use force in the performance of his duties under the following circumstances:

- a. To prevent or terminate the commission of an offense.
- b. In self defense or the defense of another.
- c. To effect the arrest of an offender, including those resisting arrest or attempting to flee from arrest or custody.
- d. To prevent a person from injuring themselves.

2. The use of force continuum, in order of escalation, is as follows:

- a. Verbal Persuasion.
- b. Non-Deadly Force.
- c. Deadly Force.

3. Verbal Persuasion as a means of effecting custody.
 - a. The practice of courtesy and dialogue may encourage understanding and cooperation on the part of the public and those who are to be arrested.
 - b. Verbal commands which result in compliance are the desired method of gaining cooperation from the public, taking an offender to be arrested into custody, and defusing potentially violent situations. However, recognizing that not all persons will comply with lawful verbal commands and submit to arrest and/or cease aggressive or violent actions, the use of force by police may be necessary to effect an arrest and to protect the officer or others during the arrest process.

Champaign Police Department rules regarding Behavior Toward Others outlines acceptable conduct by officers when dealing with members of the department and public. Champaign Police Department Rule 3 (B) (1) states in part: "the use of force by police may be necessary to effect an arrest and to protect the officer or others during the arrest process."

B. Courtesy.

1. Employees shall be courteous in their conduct and communication to citizens and other City employees. Employees shall be tactful in the performance of their duties, control their tempers, and exercise reasonable patience and discretion. In the performance of their duties, employees shall not use harsh, rude, overbearing, abusive, violent, profane, or indecent language or conduct; and shall not express any prejudice or insulting language concerning race, sex, religion, politics, national origin, lifestyle or similar personal characteristics

COMPLAINT FINDINGS

1. UNFOUNDED: Violation of Champaign Police Department Use of Force policy 1.3.

Initial reports of this incident indicate that [REDACTED] was armed with a pipe, and according to the victims, [REDACTED] was also reportedly armed with a knife. As officers arrived in the area, [REDACTED] immediately fled the scene on foot in an attempt to evade apprehension by officers.

Officers of the Champaign Police Department were responsible for investigating this incident, and their actions were reasonable in their efforts to stop and detain [REDACTED] during this investigation. [REDACTED]; who was observed by Officer Kimme dropping a metal pipe and discarding an item of clothing as he arrived, provided probable cause for the investigative stop and detention of [REDACTED].

Furthermore, once [REDACTED] was located hiding in tall grass behind his residence, he was placed under arrest for Resisting/Obstructing a Peace Officer, pending additional investigation into the original theft report which prompted a police response.

Officer Young described [REDACTED]'s demeanor as uncooperative following his arrest. Furthermore, as [REDACTED] was being escorted back to the squad car, Officer Rush described in his report that [REDACTED] was making verbal threats to officers, and Officer Rush observed [REDACTED] "clenching his fists" and take a deep breath and "purse his lips" which was interpreted as [REDACTED] preparing to spit on officers.

Officer Rush's supplemental report describes his action of grasping the chin/jaw area of [REDACTED], and directing his face away from officers to prevent from being spat on. Champaign Police Department policy 1.3 (C) establishes that the safety of a suspect will not take priority over a victim or police officer, and Officer Rush's action was in response to what he perceived to be an impending action on from [REDACTED].

Throughout his contact with Champaign Police Department officers, [REDACTED]; through flight, verbal threats, physical mannerisms, and his perceived attempt by officers to commit an Aggravated Battery, demonstrated a pattern of non compliance. Officer Rush's actions were reasonable to protect himself and potentially other officers from being spat upon, which would have unnecessarily exposed themselves to another individual's bodily fluid and increased their risk for exposure to an infectious disease.

There is no indication that [REDACTED] was "choked" during his contact with the police, and Officer Rush's report refutes the claim of him being choked. [REDACTED] has never personally offered any information with regard to his arrest and was not injured during the incident.

In addition, "witnesses" claiming to have witnessed the "choking" of [REDACTED] were uncooperative throughout the inquiry, and to date, have provided no credible information that [REDACTED] was choked at the time of his arrest.

Lastly, it should be noted that [REDACTED]'s complaint lists Officer C. Young as the officer responsible for [REDACTED] being "choked." This is refuted by Officer Rush's report and Officer Young's statement.

The actions of officers at the time of [REDACTED] arrest were reasonable and consistent with departmental policy. Furthermore, the actions of Officer Rush; in preventing himself or other officers from being spit on, were not excessive and are considered reasonable.

The allegation of excessive force is Unfounded.

2. UNFOUNDED: Violation of Champaign Police Department Departmental Rule 3 (B) (1) – Courtesy

[REDACTED] alleges Officer Kimme made a discourteous comment, stating something to the effect that if "he ([REDACTED]) was lucky, if this was my yard, I would have killed him." During an interview with Officer Kimme, he adamantly denies making this comment.

Both [REDACTED] and [REDACTED] were present when Officer Kimme was speaking to [REDACTED], and both individuals report Officer Kimme did not make any statement to [REDACTED] such as the one that was described in the complaint.

In addition, Officer Kimme was described as "calm" by [REDACTED] and believes that a comment about a gun was made by his brother [REDACTED] as he was describing a threat that made to them prior to the arrival of police. Both [REDACTED] and [REDACTED] admit comments were made by one, or both of them which were directed at [REDACTED].

Both [REDACTED] and [REDACTED] affirm that Officer Kimme did not make the statement as claimed in the complaint allegation. [REDACTED] provided no independent witness or corroborating information that supports his allegation against Officer Kimme.

Therefore, the allegation of discourtesy against Officer Kimme is Unfounded.

ATTACHMENTS

Dispatch ticket #121100202

Champaign Police Department Incident Report - C12-03805

Champaign Police Department Employee Conduct Form - submitted by [REDACTED] and [REDACTED] - dated May 2, 2012 (included is a Certificate of Marriage for [REDACTED] from the State of Iowa)

May 3, 2012 - e-mail from DC Nearing to Chief Cobb

May 3, 2012 - e-mail notice of complaint to Officer Kimme, Officer Rush and Officer C. Young from DC Nearing

May 3, 2012 - e-mail notice of complaint to Joan Walls from DC Nearing

May 3, 2012 - Memorandum from DC Nearing to Lt. Shaffer re: complaint allegations

May 3, 2012 - Professional Standard letter to [REDACTED]

[REDACTED] regarding receipt of complaint

Copy of administrative inquiry dated April 25, 2012 regarding this incident

Compact Disc (CD) containing video footage from the intake area of the Champaign County Correctional Center - booking of [REDACTED] on April 19, 2012.

Champaign Police Department

Employee Conduct Form – Use for a Complaint or Commendation

Please complete each section. If you need assistance in completing the form, please contact Champaign Police Department Professional Standards at (217) 403-6913 or City of Champaign Community Relations Office at (217) 403-8830.

- If you have been arrested, you are strongly encouraged to discuss your charges with an attorney.
- If information requires clarification, we will contact you.
- If you are filing a formal complaint, we need to be able to contact you, and you may be asked to meet with us in person.
- Please refer to the Form Instructions for completing this form.

Is this a complaint or a commendation? Check ☒ one box:

☒ Complaint

☐ Commendation

PLEASE PRINT CLEARLY:

Your information:

Last name: (Required) [REDACTED]		First name: (Required) [REDACTED]		Middle name or initial: (Required) S
Home Address – Street Address: (Required) [REDACTED]		City: (Required) CHAMPAIGN		State and Zip Code: (Required) IL 61821
Home phone: ([REDACTED]) [REDACTED]	Work phone: () - - -	Cell phone: () - - -	Email address:	
Other contact info:		Age: (Required for 28 statistical data)	Race: (Required for statistical data) black	

Incident information: (Required)

Date of incident: MM/DD/YYYY 04/19/2012	Time of occurrence: 12pm	Address where incident occurred: [REDACTED]	Location (i.e. Business Name)
--	-----------------------------	--	-------------------------------

Description of incident: (Required)

Please describe what you believe the officer/employee did properly or improperly, and explain how you were personally involved in this incident. Attach another sheet, if necessary.

ON 04/19/2012 at bout 12PM I WAS DRIVING DOWN HEDGE RD AND I WAS
HAVING A BAD DAY AND MY BOYFRIND WAS AS WELL HE LEFT OUT THE HOUS
TO GET SOME AIR FROM ME BECAUSE WE HAD SOME DISAGREEMENT SO I GOT
IN MY CAR AND TRY TO TALK WITH HIM AND AS I TRY TO TALK TO HIM
HIM WALK OFF INTO 1610 N MATTIS RD YEID I SEEN HIM GOING THU THE
YEID AND AS WELL AS THE TWO GUYS THAT STAY THERE AND I TRY TO
TELL HIM ITS OK HE IS MY BOY FRIEND AND WE JUST HAVING A BAD DAY
VERY SORRY FOR MY BOYFRIEND CUTTING THUR YOUR YEID AND I GOT BACK
INTO MY CAR AND WAS ON MY WAY BACK HOME I SAW MY BOYFRIEND [REDACTED]
WALKING DOWN SUMMIT RIDGE RD AND DROVE BY HIM AND TRY TO TALK
WITH HIM BUT HE WAS STILL ANGRY DIDNT WANT TO TALK AND SO I TOLD
MY MY BOYFRIEND THAT I WASGOING HOME AND IF HE NEED ME JUST CALL
I WAS DRIVING SOUTH BOND WHEN I LOOK OUT MY REAR VIEW MIRROR I
SAW TWO WHITE GUYS RUNNING AT MY MY BOYFRIEND I THAN TURN AROUND
TO SEE WHAT WAS GOING ON AS I GETTING CLOSER I NOTICE THE GUY
RUNNUNG BEHIND MY BOYFRIEND I STOP AND GOT OUT TRYING TO SEE WHAT
GOING ON THE TWO GUY SAID HIM TOOK SOMETHING OUT MY YIED I THAN
SAID I WAS HIS BOYFRIEND AND THE TWO GUYS THAN SAID WELL I TAKING
DOWN YOUR PLATE NUMBER AND THAN STILL WAS CHASING MY BOYFRIEND
WELL MY BOYFRIEND FELL THRATED SO HIM PICK UP ON AN OJECT AND
AND AS HE WAS PICKING IT UP THE POLICE WAS COMING AROUND THE
CORNER WHEN [REDACTED] SAW THE POLICE HIM RAN THE OFFERKIMME
TOLD HIM TO NOT RUN AND [REDACTED]

PAGE 2 OFFICER KIMME THAT I WAS HIS BOYFRIEND SO OFFICER
KIMME CALL ME OVER AND ASK WHAT HIS NAME WAS AND I GAVE THE
OFFICER THE INFORMATION THAT HE NEED I THAN ASK KIMME WHAT
GOING ON AND THE OTHER TWO GUYS SAID HE RAN THUR MY YIED
AND TOOK SOMETHING OUT MY YIED AND I SAID ALL THIS
OVER [REDACTED] GOING GOING THUR YIED AND THATS WHEN OFFICER
KIMME SAID WELL YOU LUCKY IT WASNT MY YIED HE WHEN THUR
CAUSE I WOULD HAVE KILL HIM I GOT ANGRY AND TOLD HIM I
WILL BE REPORTING HIM TO THE CITY OF CHAMPAIGN I THAN GOT IN
MY CAR AND LEET TO GO HOME WHEN I GOT HOME I NOTICE THAT
[REDACTED] WAS IN HAND CUPS I TRY TO ASK [REDACTED] WHAT HAPPEN
WHEN HE TRY TO TELL ME OFFICER YOUNG TOLD HIM SOMETHING AND
[REDACTED] SAID YOU MUST DONT KNOW WHO THE FUCK YOU TALKING TOO
I THAN SAW OFFICER YOUNG HAND GO AROUND [REDACTED] AND [REDACTED] 12/1
I THAN NOTIICE THAT [REDACTED] WAS HAVING A HARD TIME BREADING WHY
OFFICER YOUNG HAND HIS HAND AROUND [REDACTED] NAT I THAN STARTED
RUNNING IN THE HOUSE TO GET MY CAMERA AND I CAN RECORD THAN
ONE OF THE OTHER OFFICER CALL ME BACK TO TELL ME THAT HIM TOOK
SOME BODY CELL PHONE AT THAT POINT I DIDNT CARE BECAUSE OF WHAT
WHAT THEY DID TO MY BOYFRIEND POICE THAT SAME OFFICER SAME BACK
TO TELL ME THAT [REDACTED] BEING CHARGE AND THE OTHER TWO GUYS
WASNT EVEN WHEN THE TWO OF THEM TRY TO TEAM UP ON THEM

[REDACTED]

05-02-2012

Champaign Police Department employee(s) information (if known):

Employee's name: <i>Kimme</i>	Badge or ID #: <i>274</i>
Employee's name: <i>Young</i>	Badge or ID #: <i>701</i>

If the name(s) of the officer(s) or employee(s) is/are not known, please provide description(s).

Witness information:

So know the Address of witness [REDACTED]

Last name, first name:	Street Address, City, State:	Phone number:
Last name, first name:	Street Address, City, State:	Phone number:

Evidence information:

Occasionally, citizens have evidence or documentation that supports their complaint allegations. If so, please indicate what evidence or documentation you have, and be willing to provide a copy to the Police Department so that a thorough investigation can be completed.

<i>the free</i>

Verification of complaint allegations: (REQUIRED)

Allegations of police employee misconduct are serious, and you are asked to verify that the information you have provided is true and correct, to the best of your knowledge.

By placing a checkmark (✓) in this box, ☒

"I hereby certify that the information in this complaint is true and correct, to the best of my knowledge and belief."

Signature (Required) *[Signature]*

Date: *05 10 2012*
MM DD YYYY

Mail completed form to:

Champaign Police Department
Attn: Professional Standards Unit
82 East University Avenue
Champaign, IL 61820

(OR)

Drop completed form off at:

Location 1: Champaign Police Dept. (same address as above)

(OR)

Location 2: Community Relations Office, 102 North Neil Street, Champaign

Holly Nearing - Complaint 2012-05

From: Holly Nearing
To: Cobb, Anthony
Subject: Complaint 2012-05

Anthony,

This complaint came in 5-3-12 from an incident in Garden Hills. Lt. Shaffer started looking at it last week, so I'm sure you are aware of it. Holly

Holly Nearing - Complaint 2012-05

From: Holly Nearing
To: Kimme, Douglas; Rush, Matt; Young, Christopher
Subject: Complaint 2012-05
CC: Baltzell, Dennis; Cobb, Anthony; Frost, Thomas; Gallo, Joseph; Shaffer, David

Gentlemen,

██████████s and ██████████ have filed a complaint that on April 19, 2012 an officer made a discourteous comment, and an officer used an unreasonable amount of force making an arrest. If you were not involved, your name will be dropped from the file.

Lt. Shaffer will be investigating the matter. Holly

Holly Nearing - CPD Complaint 2012-05

From: Holly Nearing
To: Walls, Joan
Subject: CPD Complaint 2012-05
CC: Brown, Carrie

Complainants: [REDACTED]

[REDACTED] a

Incident: Armed subject/robbery
4-19-12 1226hrs
Summit Ridge/Winston, Ch

Allegations: officer was discourteous and officer used an unreasonable amount of force.

Champaign Police Department
82 E. University Avenue
Champaign IL 61820
(217) 351-4545
Fax (217) 403-6924
www.ci.champaign.il.us



MEMORANDUM

TO: Lt. Dave Shaffer
FROM: DC H. Nearing *H. Nearing*
DATE: May 3, 2012
SUBJECT: Complaint 2012-05

Dave,

The allegations are:

1. Discourtesy by Ofc. Kimme ("I would shoot you, too.")
2. Unreasonable amount of force used (either C. Young or Rush)

If you note other misconduct during the investigation of this complaint, please make sure that you document it.



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 351-4545 • fax (217) 403-6924 • www.ci.champaign.il.us

May 3, 2012

[REDACTED]
[REDACTED]
[REDACTED]

Champaign, IL 61821

Dear Gentlemen,

On May 3, 2012 you filed a complaint about the conduct of officers of the Champaign Police Department. After reviewing the information provided by you it appears that your complaint is as follows:

You filed a complaint that an officer made a discourteous comment and an officer used an unreasonable amount of force during the arrest.

We will be investigating the matter. I can be contacted at the information below should you have any questions about this letter. My work hours are 8:00 a.m. to 4:30 p.m., Monday through Friday.

Sincerely,

Holly Nearing
Professional Standards
Champaign Police Department
217-403-6913
Holly.Nearing@ci.champaign.il.us

12-05

Champaign Police Department
82 E. University Avenue
Champaign IL 61820
(217) 351-4545
Fax (217) 403-6904
www.ci.champaign.il.us



MEMORANDUM

TO: Deputy Chief Gallo

FROM: Lieutenant Shaffer

DATE: April 25, 2012

SUBJECT: [REDACTED] Inquiry

SUMMARY

On April 19, 2012, Champaign Police Department officers were dispatched to the area of [REDACTED] Rd. for a report of a theft which had just occurred. While en route, officers were advised the suspect; later identified as [REDACTED], had threatened the victim(s) with a knife and metal pole. Upon police arrival, [REDACTED] was observed by officers fleeing from the immediate area. [REDACTED] was apprehended moments later after he was discovered hiding under a bush.

During the evening of April 19, 2012, a news report aired on WCIA that suggested "another" incident of excessive force by police and referenced this arrest. WCIA aired interviews from two subjects which allege an officer choked [REDACTED] during the arrest. The officer, Officer Matt Rush, indicates in his report he physically grasped the chin of [REDACTED] for the purpose of turning his head away from officers, as he believed [REDACTED] was about to spit on them.

On April 23, 2012, Deputy Chief Gallo requested I conduct an inquiry into the incident to determine if information existed which supported the allegations which were broadcast on television.

REVIEW OF INCIDENT REPORT C12-03805

At approximately 1227 hours on April 19, 2012, officers were dispatched to the area of Summit Ridge Dr. and Winston Dr. for a report of a man with a knife. Officer Kimme arrived first, and observed a subject later identified as [REDACTED] holding a pipe in his hand. After noticing Officer Kimme, [REDACTED] discarded a hooded sweatshirt and pipe, and proceeded to flee from the area.

Officer Kimme lost sight of [REDACTED], and provided a description to responding officers. Officer Kimme next met with the victims, [REDACTED] x, who reported [REDACTED] had stolen a cellular phone and threatened both victims with a knife and pipe.

[REDACTED] was apprehended a short time later, and escorted to an awaiting squad car at the dead end of Hedge Rd. and Garden Hills Dr. A show up identified [REDACTED] as the suspect.

Officer Matt Rush; who was present on scene but did not assist in the initial arrest, indicated that Officer Young walked [REDACTED] to a squad car. Officer Rush indicated in his report he assisted Officer Young with the escort, and grasped [REDACTED]'s right arm while he ([REDACTED]) demanded Officer Rush not to touch him.

In his report, Officer Rush described [REDACTED] as "clenching his fist" and "pulling his arms away from Officer C. Young and myself." Furthermore, Officer Rush's report indicates that upon reaching the squad car, officers began to secure [REDACTED], who commented "Man, I will beat your ass." Moments later, Officer Rush described [REDACTED] to "take a deep breath and purse his lips." Officer Rush stated he believed [REDACTED] was "preparing to spit towards Officer C. Young or myself."

Officer Rush responded by holding [REDACTED]' left tricep and pushing him towards the squad car while he "grabbed the left side of his cheek with my left hand and pushed his face away from Officers, in order to ensure that Officer C. Young and myself were not spit on."

Officer Rush described the manner of holding [REDACTED] as "I felt my thumb press onto his cheek and my fingertips were under the right side of his jaw. The best manner to describe this action is that I had his jaw cradled in my left hand and not applying pressure to [REDACTED]'s throat." Officer Rush specifically mentioned he did not "choke" [REDACTED] to gain his compliance. Officer Rush reported [REDACTED] yelled "stop fucking choking me" which garnered a crowd of subjects that appeared hostile towards officers. [REDACTED] was not reported to be injured, and the remainder of his interaction with police appears to be without incident.

For additional details of the incident, refer to submitted reports from Officer Kimme, Officer C. Young and Officer Rush. It should be noted that Officer C. Young's supplemental report does not detail the contact between Officer Rush and [REDACTED].

[REDACTED] has been charged by the Champaign County State's Attorney's Office with Theft and two counts of Aggravated Assault (12-CF-0634).

VIDEO REVIEW OF ON SCENE SQUAD CAR FOOTAGE

The only squad car footage is from squad 53, the vehicle that was driven by Officer Rush. A review of the video reveals little useful video, however the audio is active during the incident involving [REDACTED]

As Officer Rush arrives, [REDACTED] can be heard commenting that someone needs to step back because they are involved.

- 12:36:04 – Officer Rush is heard commenting that someone needs to step back because they are involved.
- 12:36:09 – [REDACTED] is heard commenting to the effect; "man, fuck this, I'm gonna beat their ass when I get the fuck out."

- 12:36:11 – Unintelligible comments, brief sounds of what appears to be [REDACTED] against the squad car.
- 12:36:14 – Officer Rush is heard stating, "Listen to me, listen to me" followed by [REDACTED] stating, "man, I'll whip your ass." Officer Rush replies, "you want to whip my ass, that's what you want to do?"
- 12:36:25 – Officer Rush comments something to the effect, "don't do it this way, it's over, it's done." [REDACTED] appears to calm down temporarily.
- 12:37:43 – Officer Rush explains he will be seat belting [REDACTED] in the squad. [REDACTED] becomes agitated again, and comments something to the effect, "you know you cut my wrist right?" Officer Rush starts to say something beginning with "well" and appears to be interrupted by [REDACTED].
- 12:38:15 – Officer Rush and Officer Thompson begin to seat belt [REDACTED] into the back seat, [REDACTED] continues to be agitated and comments about Officer Rush removing his sunglasses so he can see his (Rush) eyes, and mentions respect.
- 12:38:25 – Officer Rush responds with the comment, "don't have to have respect for you."
- 12:38:32 – Officer Thompson explains why [REDACTED] has to be seat belted, resulting in [REDACTED] compliance and cooperation.

After reviewing the audio / video, I cannot hear any commentary regarding choking, or spitting. Although faint voices can be heard in the background, I cannot determine what is being said by the bystanders. Both Officer Rush and Officer Thompson appear to make comments intended to deescalate, both of which sound successful.

It should be noted that Officer Rush does make a statement (s) that appears to increase [REDACTED] level of agitation, instead of producing the desired effect of de-escalation when trying to calm the incident, and again when attempting to seat belt [REDACTED] in the squad car.

ATTEMPTS TO CONTACT [REDACTED]

After being assigned the inquiry on Monday, April 23, 2012, I asked Sergeant Baltzell to follow up with [REDACTED] in an attempt to interview him regarding these allegations. On the same date, Sergeant Baltzell made the following attempts to reach [REDACTED]:

- April 23, 2012 at 1630 hours – No answer at the residence
- April 23, 2012 at 2120 hours – No answer at the residence / Business card with message to contact the police department placed on the entry door.

On the following dates, I personally went to [REDACTED]'s residence in an attempt to locate him.

- April 24, 2012 at 1349 hours – No answer at residence (business card still present)
- April 25, 2012 at 1830 hours – No one present at the residence (business card still present)

ATTEMPTS TO REACH [REDACTED] BY PHONE

- April 23, 2012 – Unsuccessful attempt to reach [REDACTED] by Sgt. Baltzell
- April 24, 2012 – Unsuccessful attempt to reach [REDACTED] by Lt. Shaffer (recording that subscriber is unavailable)
- April 25, 2012 – Unsuccessful attempt to reach [REDACTED] by Lt. Shaffer (recording that subscriber is unavailable)

WITNESS INTERVIEW

[REDACTED] was identified as an individual that reported to WCIA that officers had choked [REDACTED] during his arrest. I contacted [REDACTED] and arranged to meet her and discuss the incident and her observations. With each scheduled appointment, [REDACTED] agreed to meet me at the police department and she chose the time of the appointment. However, [REDACTED] failed to show for each scheduled appointment.

After she failed to show for the appointment scheduled for April 24, 2012, I again contacted her and set up a second appointment. [REDACTED] also failed to show at the second meeting.

- April 24, 2012 at 1300 hours – failed to show for interview appointment
- April 25, 2012 (afternoon between 1300-1700) – failed to show for interview

ATTEMPTS TO CONTACT MICHAEL HOSKINS

[REDACTED] is believed to reside at [REDACTED] with [REDACTED] and he was featured in the WCIA story with [REDACTED]. As with [REDACTED], attempts to locate him or [REDACTED] at [REDACTED] have proven unsuccessful.

NEIGHBORHOOD INTERVIEWS

On April 24, 2012, I attempted to contact the neighborhood residents in the immediate area of the arrest of [REDACTED] to determine if anyone could provide information that would benefit the inquiry.

1601 Hedge Rd. at 1352 hours – No answer at the residence
1603 Hedge Rd. at 1354 hours – No answer at the residence
1540 Hedge Rd. at 1355 hours – No answer at the residence

On April 25, 2012, I again returned to the neighborhood in an attempt to speak residents in close proximity to the location of the arrest.

1540 Hedge Rd. – [REDACTED]

Upon my arrival, I met with [REDACTED] and his wife, [REDACTED]. I explained my purpose for the contact and asked if they had any information regarding the incident. Both indicated they didn't witness the arrest, and didn't possess any first-hand knowledge of the incident. Furthermore, both [REDACTED] and [REDACTED] indicated they first learned of the incident from the television news report.

1601 Hedge Rd. – No cooperation / answer from the residence

While speaking with the residents of 1540 Hedge Rd., I observed a vehicle occupied by two adult females arrive and subsequently enter the residence. When I finished my conversation with the residents of 1540 Hedge Rd., I proceeded to the residence located at 1601 Hedge Rd. at 1826 hours. I knocked twice on the front entry door, which I had observed the adults enter several minutes before. I received no answer at the door, even though it was apparent people were inside the residence.

1603 Hedge Rd. – [REDACTED]

I arrived at 1603 Hedge Rd. at 1827 hours and was greeted at the door by the resident, [REDACTED]. I explained the reason for my visit, and asked if she had any information regarding the incident. [REDACTED] stated that she had seen the television news story, but was not home at the time of the incident. When asked, [REDACTED] stated that she did not witness the incident and could offer no additional witnesses or information at this time.

1602 Hedge Rd. – [REDACTED]

As I departed [REDACTED], I began to walk across the street to [REDACTED] place of residence. As I approached the residence, I noticed that the business card left by Sergeant Baltzell on April 23, 2012 was still attached to the entry door. At this time, an unknown female teenager called out to me and stated "they aren't there, they went to Arkansas." I thanked the individual for her information and departed the residence.

ATTACHMENTS

Champaign Police Department incident report – C12-03805

Champaign County Circuit Clerk printout – 12-CF-0634 [REDACTED]

E-mail from Sergeant Dennis Baltzell

Tiburon dispatch ticket – 04/23/12

Tiburon dispatch ticket – 04/24/12

Tiburon dispatch ticket – 04/24/12

Two Tiburon dispatch tickets – 04/25/12

Champaign Police Department
USE OF FORCE INCIDENT REPORT

CASE NUMBER C12-3805	DATE 4-19-2012	TIME 12:26	OFFICER INJURED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
LOCATION [REDACTED]		CITY CH	AGENCY ASSIST <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
OFFICER ACTION RESULTED IN INJURY TO ANOTHER? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			K-9 PARTICIPATED IN THIS INCIDENT <input type="checkbox"/>	
NAME OF SUBJECT INVOLVED [REDACTED]			D.O.B. [REDACTED]	SEX M
			RACE B	
SUBJECT INJURED?: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		INJURED WHEN: <input type="checkbox"/> DURING INCIDENT <input type="checkbox"/> PRIOR TO INCIDENT		
			TYPE OF INJURIES	
			SUBJECT UNDER INFLUENCE OF INTOXICANTS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

TYPE OF SITUATION <small>Check One (Most Appropriate)</small>	REASON FOR FORCE USED <small>Check One (Most Appropriate)</small>	FORCE USED <small>Check All that Apply</small>
<input type="checkbox"/> Accident Investigation	<input type="checkbox"/> Armed Hiding In Building	<input type="checkbox"/> 1 Chemical Spray Used
<input type="checkbox"/> Alarm	<input type="checkbox"/> Armed / Non-Threatening	<input type="checkbox"/> 2 Deployed Spike Strips
<input type="checkbox"/> Arrest Warrant	<input type="checkbox"/> Armed / Threatening	<input type="checkbox"/> 3 Dispatched Animal
<input type="checkbox"/> Burglary	<input type="checkbox"/> Article Search	<input checked="" type="checkbox"/> 4 Drew Weapon & Pointed
<input type="checkbox"/> Death Investigation	<input type="checkbox"/> Attempt To Locate Subject	<input type="checkbox"/> 5 Fired Less Lethal Rounds Into Vehicle
<input type="checkbox"/> Disturbance	<input type="checkbox"/> Containment	<input type="checkbox"/> 6 Fired Pepperball Rounds Into Vehicle
<input type="checkbox"/> D.U.I.	<input type="checkbox"/> Disruptive Behavior	<input type="checkbox"/> 7 Hobbled
<input type="checkbox"/> Excited Delirium	<input type="checkbox"/> Elude	<input type="checkbox"/> 8 K9 Released To Bite Subject
<input type="checkbox"/> Felony	<input type="checkbox"/> Escaped From Custody	<input type="checkbox"/> 9 K9 Used To Disarm Suspect
<input type="checkbox"/> Forced Blood Draw	<input type="checkbox"/> Fled Scene	<input type="checkbox"/> 10 K9 Sent In After Subject
<input type="checkbox"/> High Risk Traffic Stop	<input type="checkbox"/> Hiding Inside Building -Unk If Armed	<input type="checkbox"/> 11 Kicked Subject
<input type="checkbox"/> Homicide	<input type="checkbox"/> High Risk Traffic Stop	<input type="checkbox"/> 12 Leg Restraints Used
<input type="checkbox"/> Injured Animal	<input type="checkbox"/> Intoxicated - Fighting W/ Officers	<input type="checkbox"/> 13 Passive Restraints Used
<input type="checkbox"/> Intoxicated Subject	<input type="checkbox"/> Intoxicated - Fighting W/ Others	<input checked="" type="checkbox"/> 14 Physically Restrained
<input type="checkbox"/> Mental	<input type="checkbox"/> Narcotics Search	<input type="checkbox"/> 15 Shot With Less Lethal Round(s)
<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Officer Safety	<input type="checkbox"/> 16 Shot With Pepperball Round(s)
<input type="checkbox"/> Narcotics Search	<input type="checkbox"/> Public Demonstration	<input type="checkbox"/> 17 Spit Hood Used On Subject
<input type="checkbox"/> Off Duty	<input type="checkbox"/> Refusing To Obey Lawful Order	<input type="checkbox"/> 18 Struck Subject W/ Baton / ASP
<input type="checkbox"/> Open Door	<input checked="" type="checkbox"/> Reported To Be Armed	<input type="checkbox"/> 19 Struck Subject W/ Flashlight
<input type="checkbox"/> Person Stop	<input type="checkbox"/> Riot	<input type="checkbox"/> 20 Struck Subject W/ Hands - Fists
<input checked="" type="checkbox"/> PC Arrest	<input type="checkbox"/> Search	<input type="checkbox"/> 21 Struck Subject W/ Knee Strikes
<input type="checkbox"/> Premise Check	<input type="checkbox"/> Subject's Own Safety	<input type="checkbox"/> 22 Struck Subject W/ Other
<input type="checkbox"/> Shots Fired Call	<input type="checkbox"/> Suicidal Subject	<input type="checkbox"/> 23 Weapon Discharged / Accidentally
<input type="checkbox"/> Prowler	<input type="checkbox"/> Threatening To / Fighting Officers	<input type="checkbox"/> 24 Weapon Discharged / Not Hit
<input type="checkbox"/> Pursuit	<input type="checkbox"/> Threatening To / Fighting Others	<input type="checkbox"/> 25 Weapon Discharged / Shot Subject
<input type="checkbox"/> Search Warrant	<input type="checkbox"/> Welfare Check	<input type="checkbox"/> 26 Weapon Discharged / To Disable Vehicle
<input type="checkbox"/> Suicidal Subject	<input type="checkbox"/> Other: _____	<input type="checkbox"/> 27 Other: _____
<input type="checkbox"/> Suspicious Circumstances		
<input type="checkbox"/> S.W.A.T.		
<input type="checkbox"/> Warrant Arrest		
<input type="checkbox"/> Other: _____		

FINAL DISPOSITIONS	SUPERVISORS APPROVING USE OF FORCE REPORT
<input type="checkbox"/> Hospitalized <input checked="" type="checkbox"/> Arrested <input type="checkbox"/> Peace Officer Hold/Mental <input type="checkbox"/> Pursuit Terminated <input type="checkbox"/> Released/No Action <input type="checkbox"/> Subject Shot Self <input type="checkbox"/> Other: _____	<div style="text-align: center; font-size: 1.2em; margin-bottom: 10px;"> <i>[Signature]</i> #102 </div> <div style="text-align: center; font-size: 1.2em; margin-bottom: 10px;"> <i>[Signature]</i> - <i>[Name]</i> </div> <div style="text-align: center; font-size: 1.2em;"> <i>[Signature]</i> - <i>[Name]</i> 4/27/12 </div>

SUPERVISOR SUBMITTING REPORT
7114 - Video e 12:35 <i>[Signature]</i> #102 NO other Videos



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 403.7000 fax (217) 403-7022 • www.ci.champaign.il.us

To: Chief of Police Anthony Cobb
Lieutenant Jon Swenson

From: Lieutenant Dave Shaffer

Date: June 12, 2012

Re: [REDACTED] complaint

INTERVIEW OF CHAMPAIGN POLICE OFFICER DOUGLAS KIMME

On June 12, 2012, I met with Officer Douglas Kimme regarding this complaint investigation. Officer Kimme; during the course of his interview, provided the following information.

Officer Kimme indicated that he responded to the area of Summit Ridge & Winston for a report of a man with a knife. Upon his arrival in the area, Officer Kimme located the suspect, later identified as [REDACTED], near the intersection of Summit Ridge & Cruising Ln. When the suspect noticed Officer Kimme's presence, he discarded a dark colored hooded sweatshirt and simultaneously dropped the pipe onto to the ground. [REDACTED] fled on foot from Officer Kimme, and was last seen disappearing over a fence.

Officer Kimme proceeded to speak with the victim(s), identified in the report as [REDACTED] and [REDACTED]. Officer Kimme stated he met with the victims on what he believes to be Summerlin (St.) and upon his arrival, observed [REDACTED] speaking with the victims. Officer Kimme stated he approached the subjects and asked [REDACTED] if he knew the suspect. Officer Kimme reported [REDACTED] replied the suspect was [REDACTED] and Officer Kimme responded with "ok, thanks."

Officer Kimme stated that [REDACTED] was becoming hostile and "mouthy" and in order to conduct the investigation and speak with the victim(s), he asked [REDACTED] to move away. Officer Kimme stated as he spoke with one of the victims; described by Officer Kimme as "not the primary victim", he estimated [REDACTED] was approximately 35-40 feet away. Officer Kimme stated that the distance between [REDACTED] and Officer Kimme was enough that he had to raise his voice when he asked [REDACTED] to stay back and/or leave.

Officer Kimme stated that he conducted interviews of the victims and learned during his interview how [REDACTED] reportedly held a railroad spike in the air over his shoulder, similar to an "ice pick" as if he intended to stab someone. During the process of speaking with the victims, Officer Kimme learned that [REDACTED] had been apprehended and he was available for a show up. Officer

Kimme transported both victims to the area of Garden Hills and Hedge Rd. for a show up.

Upon his arrival, Officer Kimme stated that both victims positively identified [REDACTED]. Officer Kimme reports that he did not see any officer choking [REDACTED] during their interaction with him around the squad car. In addition, Officer Kimme states that during the show up, [REDACTED] was removed and returned to the squad car without incident.

With regard to the accusations made in [REDACTED] written complaint, Officer Kimme adamantly denies making the comment of "if it was my yard, cause I would have killed him."

At this time, the interview with Officer Kimme was concluded.



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 403.7000 fax (217) 403-7022 • www.ci.champaign.il.us

To: Chief of Police Anthony Cobb
Lieutenant Jon Swenson

From: Lieutenant David Shaffer

Date: June 14, 2012

Re: [REDACTED] complaint

INTERVIEW OF OFFICER CHRISTOPHER YOUNG – CHAMPAIGN POLICE DEPARTMENT

On today's date, I interviewed Officer Chris Young of the Champaign Police Department regarding this complaint. From my conversation with Officer Young, I was provided with the following information.

Officer Young advised on the date in question, he was on duty and responded to the area of Summit Ridge & Cruising Ln. for a report of an armed subject. Upon arrival, Officer Young reported Officer Kimme was already on scene and the suspect; later identified as [REDACTED], had fled on foot from the immediate area.

Officer Young stated several additional units arrived in the area and assisted with attempts to locate the suspect. Officer Young stated during the search for [REDACTED], the address of [REDACTED] was discovered to be the residence of the [REDACTED]. Officer Young states he believed enough patrol units were in the area on the south side of the railroad tracks; therefore he proceeded to the north side of the railroad tracks, parking his squad car on the north side of the railroad tracks at the dead end of Garden Hills Dr.

Officer Young advised he checked the immediate area north of [REDACTED] and observed the top of a human head, partially concealed in tall grass behind [REDACTED]. Officer Young produced his duty weapon and approached the suspect at gunpoint. Once the suspect was on his feet, he escorted him ([REDACTED]) out of the grass to the sidewalk, where [REDACTED] was handcuffed and secured.

Overall, Officer Young described [REDACTED]'s demeanor as somewhat uncooperative, adding that [REDACTED] was "mouthy" and "obnoxious." Officer Young stated he was joined by Officer Matt Rush, and the suspect was escorted to the rear, driver's side quarter panel of Officer Rush's squad car where a search was conducted. Officer Young further advised the suspect's back was facing them, and he was located on the suspect's right side while Officer Rush was positioned on the left side of [REDACTED].

Officer Young indicated he grasped the right hand of [REDACTED] and maintained control of the wrist while he completed the search. Officer Young added [REDACTED]. [REDACTED] continued to be "mouthy" during the search of his person, and further stated he had completed a search of the upper right side of [REDACTED], and was looking downward as he searched the lower right side of [REDACTED] when he heard the "husband" [REDACTED] of the suspect yell that officer(s) had choked the suspect.

Officer Young reported that this subject, identified as [REDACTED], was "loud" and boisterous in his actions, and he (Young) observed him approaching their location from the yard of [REDACTED]. In addition, Officer Young also reported seeing approximately 4-5 people in, or near the yard of [REDACTED], that were yelling back and forth with [REDACTED]. Although Officer Young did not recall the specific words or conversation, he indicated the general tone of verbiage expressed displeasure with the police presence and activity.

Officer Young further indicated that he did not observe Officer Rush grasp the chin of [REDACTED]. Officer Young indicated he was looking downward during the search at the time the comments about the police choking him ([REDACTED]) started. Officer Young did not observe or feel any change in body posture, movement or action that would indicate or suggest he ([REDACTED]) was being choked. Furthermore, Officer Young stated the complaint of choking originated from the "husband" ([REDACTED]) in the crowd, adding that to his knowledge [REDACTED] never complained about being "choked" by police.

Officer Young stated he did not observe or hear any interaction that occurred between Officer Rush and [REDACTED]. Officer Young explained that as soon as the yelling from the crowd started, he immediately diverted his attention to the crowd and addressed the husband ([REDACTED]).

Officer Young could offer no additional information and our interview was concluded.



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 403.7000 fax (217) 403-7022 • www.ci.champaign.il.us

To: Chief of Police Anthony Cobb
Lieutenant Jon Swenson

From: Lieutenant David Shaffer

Date: June 20, 2012

Re: [REDACTED] complaint

INTERVIEW OF [REDACTED]

On today's date, I interviewed [REDACTED] regarding this complaint investigation. From my conversation with [REDACTED], I was provided with the following information.

[REDACTED] states he was at a residence on Summit Ridge and spoke briefly with the "boyfriend" ([REDACTED]) about [REDACTED] walking through yards. According to [REDACTED], [REDACTED] informed him they ([REDACTED]) were "fighting" and [REDACTED] was upset. [REDACTED] stated he returned to the residence and looked out a window, at which time he witnessed [REDACTED] taking a cellular phone from a table in the yard.

[REDACTED] states he, along with his brother ([REDACTED]), chased [REDACTED] on foot and during the foot chase, [REDACTED] threw the cellular phone at them. [REDACTED] fled from the area and Officer Kimme of the Champaign Police Department arrived moments later and spoke with them.

[REDACTED] reports as Officer Kimme began to speak with them, [REDACTED] was initially present in the distance, however because of the distance involved, it was not possible to hear what [REDACTED] was saying. [REDACTED] stated [REDACTED] approached them and was initially "nice", however, [REDACTED] added that once Officer Kimme asked for the names of the person responsible for the theft, the demeanor of [REDACTED] changed and he stated he didn't have to tell him (Officer Kimme) anything and proceeded to tell everyone that he was going to call his lawyer over the incident.

[REDACTED] felt this comment was a threat and added that prior to the date of the incident; he has not had any interaction with [REDACTED]. Furthermore, [REDACTED] stated that as the incident progressed and they pursued [REDACTED] he ([REDACTED]) commented he "knew where they live" and he also interpreted this as a threat.

When asked about a comment(s) involving a firearm, specifically an allegation in [REDACTED]'s complaint that Officer Kimme allegedly threatening to shoot someone if they were in his yard, immediately [REDACTED] stated Officer Kimme did not make that or any similar comment.

██████████ added it was ██████████s who originally made a comment which ██████████ interpreted as if he (██████████) would be getting a firearm. ██████████ stated he responded to ██████████s something to the effect; "I've got a FOID card too and I'm legal." ██████████ reiterated that Officer Kimme "never said anything like that" and was adamant that Officer Kimme had not said what was alleged in ██████████ complaint.

With regard to the contact between police officers and ██████████, ██████████ indicated he and his brother were transported to the area of the dead end at Garden Hills Dr. (Garden Hills Dr. & Hedge Rd.) for a show up. ██████████ reported that he and his brother were driven to the location by Officer Kimme and upon their arrival; he observed the suspect was seated in the squad car.

██████████ advised he witnessed an officer assist ██████████ from the parked squad car for the show up. ██████████ stated that he witnessed no physical contact between the officers and ██████████ and added ██████████ appeared to act normal and displayed no visible injury. ██████████ stated it was his opinion that officers had acted appropriately, adding officers "did what they were supposed to do."

At this time, ██████████ could offer no additional information and our interview was concluded.



Police Department • 82 E. University Avenue • Champaign IL 61820 • (217) 403.7000 fax (217) 403-7022 • www.ci.champaign.il.us

To: Chief of Police Anthony Cobb
Lieutenant Jon Swenson

From: Lieutenant David Shaffer

Date: June 21, 2012

Re: [REDACTED] complaint

INTERVIEW OF [REDACTED]

On June 20, 2012, I interviewed [REDACTED] regarding this complaint investigation. From my conversation with [REDACTED], I was provided with the following information.

At the start of the interview, I summarized the available information regarding the initial theft and display of a possible weapon. Immediately, [REDACTED] stated he was "positive" [REDACTED] threatened him with a knife. [REDACTED] stated he was aware that a railroad tie had been recovered, but added he believed this was in addition to the knife which was originally displayed when he [REDACTED] threatened him and his brother when they chased [REDACTED] after the cell phone theft.

Once the suspect [REDACTED] had fled from the scene, he and his brother met with Officer Kimme from the Champaign Police Department. As they attempted to speak with Officer Kimme, the boyfriend of the suspect [REDACTED] kept attempting to get involved and interjected himself into the conversation. [REDACTED] stated Mr. [REDACTED] threatened to retain an attorney and sue them. [REDACTED] also stated Mr. [REDACTED]'s actions and comments prompted Officer Kimme to instruct [REDACTED] to leave.

[REDACTED] commented they were explaining to Officer Kimme a threat which had been made by [REDACTED] ("come back and I'll kill you") when [REDACTED] mentioned something about a gun. [REDACTED] commented his brother; [REDACTED] replied something to the effect of; "C'mon back over to the house, I have a FOID and I'm legal." When asked about any comment made by Officer Kimme as indicated in [REDACTED]'s complaint, [REDACTED] replied that he (Kimme) did not make any comment about shooting or killing anyone.

Furthermore, [REDACTED] advised Officer Kimme tried to calm everyone down and instructed [REDACTED] to leave. In addition, [REDACTED] indicates that it was possible that he or his brother made a similar comment due to their anger, but was certain that any comment did not originate from Officer Kimme.

Eventually, [REDACTED] and his brother were transported by Officer Kimme to another location to identify the suspect. Once they arrived, [REDACTED] described the scene as "calm" and did not witness anyone who was upset or acting in an aggressive manner. In addition, [REDACTED] stated he did not witness any officer physically assault [REDACTED], nor did he witness any other contact between the officers and the suspect, except during the time officers assisted the suspect in and out of the squad car.

[REDACTED] advised he believes that the complainant is "full of shit" and added that during the incident where they confronted [REDACTED], they did nothing except back away from him because he was armed with a knife. Furthermore, [REDACTED] stated as they were backing away from [REDACTED]s when he was armed with a knife, [REDACTED] claims a neighborhood resident appeared in the doorway of his residence and commented "I got you."

[REDACTED] stated that he noted this neighborhood resident was armed with a handgun. [REDACTED] clarified that he was certain the resident was watching their back and there to protect them if needed, and that he was not a threat to him or his brother. [REDACTED] added this neighborhood resident did not leave the interior doorway of his residence, and made no other action other than to stand in his doorway.

I explained to [REDACTED] that this was the first time that I had heard of the armed resident which had assisted or looked out for them during the incident. I asked [REDACTED] if he could provide the address for this individual, to which [REDACTED] replied that he didn't know the exact address and described the house as one in the neighborhood. In addition, [REDACTED] claims that he doesn't know the identity of the armed civilian and is unable to identify him to police.

At this point, [REDACTED] could offer no additional information and our interview was concluded.

Detailed History for Police Event #121100202 As of 5/03/2012 14:27:11

Priority:1 Type:ARMED - ARMED SUBJ

Location:SUMMIT RIDGE RD / WINSTON DR,CH < 1500/ 1698>

Created:	04/19/2012 12:26:10	DIS5	6634
Entered:	04/19/2012 12:27:05	DIS5	6634
Dispatch:	04/19/2012 12:27:27	DIS8	6616
Enroute:	04/19/2012 12:27:27	DIS8	6616
Onscene:	04/19/2012 12:29:58	DIS8	6616
Control:	04/19/2012 12:33:08	DIS8	6616
Transprt:	04/19/2012 12:49:22	DIS6	6605
Complete:	04/19/2012 13:04:52	DIS6	6605
Closed:	04/19/2012 13:35:48	DIS6	6605

PrimeUnit:774 Dispo:RPT Type:ARMED - ARMED SUBJ

Name:J Phone:217/722-5354 RAddr:

Agency:CH DAREA:CH Beat:CHNW RD:51506C

Case #:CH1203805  Detail

12:26:10 CREATE Location:SUMMIT RIDGE RD / WINSTON DR,CH Type:ARMED Phone:217/722-5354
DAREA:CH RD/FD:51506C TypeDesc:ARMED SUBJ LocDesc: < 1500/ 1698> Priority:1
Response:1PAT Agency:CH LocType:H

12:26:10 ALI E911Phone: E911Add:2400 W BRADLEY AV (SE SEC),CH E911Subs:Verizon
Wireless E911Src:WPH2 Tower:() AltLong:-88.276134 AltLatitude:40.132445
Confidence:95

12:26:10 ALIGEO GeoLong:-88.276134 GeoLat:40.132445

12:26:10 ALIGEO GeoLong:-88.276134 GeoLat:40.132445 ClosestAdd: AddDesc:31 ft NE
ClosestInt:Summit Ridge Rd / Winston Dr InterDesc:131 ft N Area1:14 Area2:50099

12:27:05 ENTRY Response:1PAT-->2PSC Comment:BM W/ KNIFE IN HIS HAND TOWARDS BRADLEY
NOW, SOMEHOW INV WISCONSIN PLATE/

12:27:08 SELECT

12:27:06 -PREMIS Comment:(none)

12:27:27 DISPER 774 Badge:7774 OperNames:KIMME,DOUGLAS J

12:27:27 DISPER 701 Badge:7701 OperNames:YOUNG,CHRISTOPHER

12:27:27 DISPER 794 Badge:7794 OperNames:SWANEY,MICHAEL D

12:27:27 -PRIU 774

12:27:33 PRMPT 794

12:27:35 BACKER 7114 UnitID:701 Badge:7114 OperNames:RUSH,MATT R

12:27:42 BACKER 7109 UnitID:774 Badge:7109 OperNames:THOMPSON,KATHERINE A

12:27:48 *ENRTE 774

12:28:18 BACKER 902 UnitID:7114 Badge:7902 OperNames:FROST, THOMAS

12:28:21 INFO Comment:MALE WALKING BACK THIS WAY NOW, HAD STOLEN RP'S PHONE
WHILE WALKING THRU THE YARD, PULLED KNIFE WHEN RP TRIED TO TAKE IT
BACK, HAD BEEN HAVING DOMESTIC W/ HIS BFRIEND PRIOR TO PHONE THEFT,
BM, 506 LSW/BLK JACKET, WHI TSHIRT, BLU JEANS, PIPE IN HIS HAND NOW

12:28:36 CHANGE Comment:M/MDDIS8
FROM WI
AXA 12.28.35 04/19/12*WIDOT0000
*** REGISTRATION DETAILS ***
VEHICLE REGISTRATION EXPIRATION DATE: 2012-11-10
REGISTRATION JURISDICTION CODE (LIS): WI
REGISTRATION STATUS: SUSPENDED

REGISTERED TO: [REDACTED]
RESIDENCE ADDRESS: [REDACTED]
DATE OF BIRTH: [REDACTED]
MAILING ADDRESS: [REDACTED]

VEHICLE REGISTRATION PLATE ID: [REDACTED]
VEHICLE REGISTRATION PLATE TYPE: AUT
VEHICLE DECAL:
DECAL PERIOD: ANNUAL

*** VEHICLE DETAILS ***

VEHICLE ID: [REDACTED]
VEHICLE MAKE TEXT: CHEVROLET
VEHICLE MODEL YEAR: 2009
VEHICLE MODEL TEXT: HHR LS
VEHICLE PRIMARY COLOR: RED
VEHICLE SECONDARY COLOR: RED

*** TITLE DETAILS ***

TITLE ID: [REDACTED]

*** ADDITIONAL INFORMATION ***

FIELD NAME: BAD CHECK SUSPENSION
FIELD VALUE: SUSPEND

12:28:43 INFO Comment: AROUND 20YOA, RP DOESN'T KNOW NAME OR WHERE HE LIVES
12:29:08 RI 7109
12:29:09 RI 7114
12:29:12 RI 902
12:29:13 RI 701
12:29:15 RI 774
12:29:17 STAGED 7109
12:29:20 INFO Comment: MALE NOW AT DIFF VEH, SILV CHRYS 300, SUSP NOW AT CRUISING LANE
12:29:49 CHANGE Name: None--> [REDACTED] IX Comment: RP W/ OFCR, SAID FOOT PURSUIT
12:29:50 NOMORE
12:29:58 ONSCN 774 Comment: WHI TSHIRT, NB, RUNNING
12:30:32 ONSCN 701
12:30:40 ONSCN 7109
12:31:13 CLOS 7114 Location: 1700-BLK HEDGE
12:31:21 CHGLOC 774 701 7109 Location: CRUISING LANE AREA
12:31:41 MISC 701 Comment: SUSP LIVES AT 1602 HEDGE
12:31:43 BACKER 796 UnitID: 774 Location: CRUISING LANE AREA Badge: 7796
OperNames: CUNNINGHAM, RANDY S
12:32:52 ONSCN 796
12:33:08 OK 774
12:33:23 CLOS 796 Location: 1602 HEDGE RD, CH
12:33:58 CLOS 701 Location: ON THE TRACKS Comment: ANTONIO ROBERTS
12:34:13 BACKER 794 UnitID: 796 Location: 1602 HEDGE RD, CH Badge: 7794 OperNames: SWANEY, MICHAEL
D
12:34:53 CLOS 794 796 902 7109 7114 Location: TRACKS AREA BY HEDGE
12:35:00 CLOS 774 Location: W/ RP
12:35:02 OK 796 Comment: CODE4 AT THIS POINT
12:38:19 CLOS 701 Location: 1602 HEDGE RD, CH Comment: ***** 95 LOCATION
12:39:19 CASE 774 Case#: CH1203805
12:39:35 OK 774 701 794 902 7109 7114
12:42:08 PRMPT 794 Comment: Preempted and dispatched to call #121100207
12:43:51 PRMPT 902 Comment: Preempted and dispatched to call #121100207
12:46:09 MISCN 796 Comment: ***** POSITIVE ID ON THE SHOWUP, 10-95 *****

12:47:42 PRMPT 7109 Comment:Preempted and dispatched to call #
12:49:22 TRANSP 7114 Location:SAT JAIL,UR Mileage:0
12:52:26 CLEAR 796 Dispo:SUPP
12:53:02 *CLEAR 774 Dispo:RPT
13:00:00 PRMPT 701 Comment:Preempted and dispatched to call #
13:04:52 CMPLT 7114 Mileage:6.2
13:05:01 OK 7114
13:35:48 CLEAR 7114 Dispo:RPT
13:35:48 -CLEAR
13:35:48 CLOSE
[04/23/2012]
16:25:40 XREF Service:P Event:#121140293 Type:FOLLOW Agency:CH



CHAMPAIGN POLICE DEPARTMENT



Page 1 of 7

INCIDENT DETAIL

Officer Number 7774		METCAD Event # 121100202		Shift 4	Case Number CC1203805
Occurred 04/19/2012		12:22	DOW Thursday		
Reported 04/19/2012		12:26	DOW Thursday	Time Dispatched 12:27	Time Arrived 12:29
Incident Adr. [REDACTED]			Loc Type 291. RESIDENCE-YARD		GEO 51506

OFFENSE

Offense Crime Code/Description	CSA	Act	# Pr.	Force	Circ.	Weapon	Bias
0810 THEFT OVER			000	NO		99	88
0510 ASSAULT-AGGRAVATED			000	NO		99	88
3710 RESIST/OBSTRUCT/DISARM AN OFFICER			000	NO		99	88
9996 USE OF FORCE BY OFFICER			000	NO		99	88

SYNOPSIS

A male reports that a male who is unknown to him entered his back yard and stole a cell phone.

VICTIM

Name [REDACTED]		Address [REDACTED]		Telephone [REDACTED]					
Emp Code Y	Employer/School Name [REDACTED]		Emp. Address CHAMPAIGN, IL		Emp .Tel. [REDACTED]				
DOB [REDACTED]	Age 29 (when occurred)	Race W	Sex M	Ht. 505	Wt. 200	Hair BRO	Eye BRO	SSN 000-00-0000	DL#
Injury Code N	Victim Code I	Hospitalized NO	Treated by						

WITNESS

Name [REDACTED]		Address [REDACTED]		Telephone [REDACTED]					
Emp Code Y	Employer/School Name SELF EMPLOYED		Emp. Address CHAMPAIGN, IL		Emp .Tel. Unknown				
DOB [REDACTED]	Age 36 (when occurred)	Race W	Sex M	Ht. 509	Wt. 215	Hair BRO	Eye HAZ	SSN 000-00-0000	DL#
Injury Code N	Victim Code I	Hospitalized NO	Treated by						

ARRESTEE/OFFENDER

Name [REDACTED]		Address [REDACTED]		Telephone [REDACTED]	
Emp Code U	Employer/School Name		Emp. Address		Emp .Tel. (217)000-0000

Reporting Officer: KIMME, DOUGLAS J.

officer's initials _____ approved _____

ARRESTEE/OFFENDER CONTD.

ARRESTEE/OFFENDER CONTD.

DOB [REDACTED]	Age (when occurred) 23	Race B	Sex M	Ht. 504	Wt. 145	Hair BLK	Eye BRO	SSN [REDACTED]	DL# [REDACTED]
Injury Code N	Victim Code I	Hospitalized NO	Treated by						
Show Up: Date/Time 04/19/2012 12:45		Show Up Location HEDGE RD. CHAMPAIGN			Conducting Officer D. KIMME			Arrest Date/Time 04/19/2012	
Arresting Officer D. KIMME		Arrest Location HEDGE RD CHAMPAIGN			Transporting Officer M. RUSH / 7114			Dispo/Type CCSO O	
Miranda NO	Miranda Officer		Miranda Date/Time 00/00/0000		Arrest Numbers				

RELATION MATRIX

Offense	Victim	Relation Code	Offender
0810	[REDACTED]	ST	[REDACTED]
0510	[REDACTED]	ST	[REDACTED]
3710	SOCIETY	AQ	[REDACTED]

PROPERTY

Description Black Apple I Phone

Loss 7	Quantity 1.000	Serial # unknown	Loc	Disposition
Recv	Measure	Evidence? NO		
Drug	Value 600.00	Property Code 489		

Tag# 24956	Desc. Rusty rail road spike	Recommended Action RETAIN UNTIL NO EVID. VALUE
------------	-----------------------------	---

Loss	Quantity 1.000	Serial # none	Loc	Disposition
Recv 6	Measure	Evidence? YES		
Drug	Value	Property Code 835		

Tag# 24955	Desc. Black zip-up hoody. Size Large	Recommended Action RETAIN UNTIL NO EVID. VALUE
------------	--------------------------------------	---

Loss	Quantity 1.000	Serial # none	Loc	Disposition
Recv 6	Measure	Evidence? YES		
Drug	Value	Property Code 510		

Tag# 24957	Desc. Silver & gray colored Verizon cell phone	Recommended Action RETAIN UNTIL NO EVID. VALUE
------------	--	---

Loss	Quantity 1.000	Serial #	Loc	Disposition
Recv 6	Measure	Evidence? YES		
Drug	Value	Property Code 489		

Tag# 24958	Desc. White cigarette lighter	Recommended Action RETAIN UNTIL NO EVID. VALUE
------------	-------------------------------	---

Loss	Quantity 1.000	Serial # none	Loc	Disposition
Recv 6	Measure	Evidence? NO		
Drug	Value	Property Code 835		

Tag# 24947	Desc. Sony portable disc player	Recommended Action RETAIN UNTIL NO EVID. VALUE
------------	---------------------------------	---

Reporting Officer: KIMME, DOUGLAS J.

officer's initials _____ approved _____

PROPERTY CONTD.

PROPERTY CONTD.

Loss	Quantity	1.000	Serial #	unknown	Loc	Disposition
Recv 6	Measure		Evidence?	YES		
Drug	Value		Property Code	819		

Tag#	Desc. Assorted CD-R's	Recommended Action
24954		RETAIN UNTIL NO EVID. VALUE

Loss	Quantity	5.000	Serial #	none	Loc	Disposition
Recv 6	Measure		Evidence?	YES		
Drug	Value		Property Code	558		

NARRATIVE

ASSIGNMENT:

Sent via METCAD at about 1227 hrs, April 19, 2012/Thursday, to the area of Summit Ridge and Winston on report of a male with a knife.

METCAD later added that the same male with the knife now had a pipe.

METCAD described the suspect as a black male who was wearing a black jacket, white shirt and blue jeans.

At the time of this call, I was on duty in full Police uniform and operating a marked Champaign Police Dept. squad car.

ARRIVAL:

As I arrived in the area, I observed a black male wearing a black hoody with a white t-shirt under it and blue jeans. The same male was also holding a long solid object in his right hand that appeared to be a pipe.

The male saw me as I arrived and began walking to his right and away from the south/east corner of Summit Ridge & Cruising Ln.

The male continued to look at me as I drove toward him. At the same time, he dropped the long object that he was holding and removed his hoody dropping it on the lawn of 1616 Cruising Ln. as he began to run.

The male continued to run around the east side of 1616 Cruising

NARRATIVE CONTD.

Ln. and to the back yard to a fence at the north end of the back yard.

I stopped my squad car in front of the house at a position that I could see the male at the fence and yelled for him to stop.

The male paused for a moment and looked back at me before jumping over the fence and out of sight.

I then dispatched via radio a description of the male and his direction of travel.

STATEMENT, Victim:

I was then able to speak with another male who was in the area and who identified himself as [REDACTED].

[REDACTED] related to me, that today while he was at his home and talking with his brother [REDACTED] in his kitchen, he saw a male in his back yard near his picnic table where he had left his cell phone.

[REDACTED] then went outside and saw that his cell phone was gone from the table. At the same time, he saw a male fleeing his backyard.

[REDACTED] and [REDACTED] gave chase to the male to Summit Ridge and Cruising Ln. where the male stopped running.

[REDACTED] and [REDACTED] also stopped and were about 10 feet from the male. [REDACTED] then jestered for the male to come closer when the male threw [REDACTED]'s phone to him.

Per [REDACTED], the male then pulled a knife from his clothing and held it up over his shoulder like he was holding an ice pick and told [REDACTED] that he was going to slit his throat.

NARRATIVE CONTD.

The male then changed weapons and picked up a pipe.

When I arrive, [REDACTED] and [REDACTED] were about 30 feet away from the male.

The male then ran from the area as Police arrived.

[REDACTED] was upset that the male entered his yard without permission and took his cell phone. [REDACTED] was also in fear for his safety when the male had the knife and threatened to slit his throat.

[REDACTED] also added that the male threatened to come back later and harm him.

[REDACTED] does want to prosecute.

STATEMENT, Witness:

After talking with [REDACTED], I was able to talk with his brother [REDACTED].

[REDACTED] related to me, that he saw the male in the yard and followed [REDACTED] as he ran after the male.

[REDACTED] did see that the male had [REDACTED]'s cell phone and threw it back at [REDACTED].

[REDACTED] also saw the male holding a rail road spike in his hand and holding it above his shoulder in a threatening manner toward [REDACTED] and himself.

[REDACTED] also heard the male threaten to come back and get them.

SUSPECT LOCATED:

I was informed by other Champaign Officers that the male suspect

NARRATIVE CONTD.

was in custody at Hedge Rd. and Garden Hills.

POSITIVE IDENTIFICATION:

After I learned that a suspect was in custody, I transported [REDACTED] and [REDACTED] to Hedge Rd. & Garden Hills to look at the suspect.

[REDACTED] and [REDACTED] positively identified the male as the male that took [REDACTED]'s cell phone and later threatened them before fleeing the area as Police arrived.

The male was also the same male that ran from the area as I arrived.

ARREST:

The male suspect was identified as [REDACTED] by a Wisconsin driver's license.

[REDACTED] was placed under arrest for Theft (Over), Aggravated Assault and Resisting a Police Officer.

TRANSPORT:

[REDACTED] was transported to the Champaign County Jail by Officer M. RUSH.

EVIDENCE:

A black zip-up hoody [REDACTED] removed as he fled the area and the rail road spike were recovered and placed into evidence.

The pockets of the hoody contained a portable CD player, 5 assorted CD-R's, a cell phone, and a cigarette lighter. Those items were also placed into evidence.

NARRATIVE CONTD.

No knife was located.

Copied By:		Entered/Filed By:	
Miscellaneous/Leads #s			
Signature of Reporting Officer		APPROVED (Supervisor)	
date		date	

No secondary dissemination without consent from Champaign Police Dept.

Reporting Officer: KIMME, DOUGLAS J.

officer's initials _____ approved _____



CHAMPAIGN POLICE DEPARTMENT SUPPLEMENTAL REPORT



Page 1 of 2

SUPPLEMENTAL DETAIL

Case Number CC1203805	Officer Number 7701	Date Entered 04/19/2012	Date/Time of Orig. Rpt. 04/19/2012 12:26
Incident Address 1616 SUMMIT RIDGE CHAMPAIGN			Title of Report: Agg Assault/Use of Force

NARRATIVE

WITH REGARDS TO THIS REPORT:

On 04-19-12, I was working day shift, assigned to the SouthWest district, wearing full uniform and operating a marked squad car (#55).

I responded to an armed subject call near Summit Ridge and Cruising Ln. METCAD relayed a black male had stolen a phone, pulled a knife and displayed a pipe. A description was given: black male, about 5'06", white tee shirt, jacket and blue jeans.

After I arrived in the area, Officer Kimme informed us the suspect had dropped his jacket while running north towards Hedge. Officer Cunningham was able to provide the address of [REDACTED] as a possible destination for the suspect based on previous contacts with an involved vehicle. I drove to the north side of Garden Hills/Hedge just north of the railroad tracks in order to walk up to [REDACTED] from behind. As I crossed the tracks, my attention was drawn to the head of a black male crouched in an area of tall bushes behind [REDACTED]. I immediately un holstered my duty firearm and pointed it at the male and ordered him to put his hands up. It should be noted we were approximately 15 yards apart. The male, [REDACTED], slowly stood up while raising his hands above his head. [REDACTED] was shirtless, holding a white cloth in his right hand and had on blue jeans. I ordered [REDACTED] to walk east over to the sidewalk, which he did. Officer Cunningham met us. I re-holstered my firearm and handcuffed [REDACTED] (@1233, double locked and checked for fit). I patted [REDACTED] down for a weapon and asked him if he had a knife. [REDACTED] said, "I didn't have a knife...I had one of those railroad sticks." I felt no weapons on [REDACTED] person. At one point, [REDACTED] made the following unsolicited statement: "Ya I took his phone but I gave

Reporting Officer: YOUNG,CHRISTOPHER

officer's initials _____ approved _____

NARRATIVE CONTD.

NARRATIVE CONTD.

it back." I walked [REDACTED] over to Officer Rush's squad car, where he was placed inside.

Officer Kimme arrived on scene for a show up. [REDACTED] again made unsolicited statements to the effect of: "he [the victim] knows what I look like...I took the phone but I gave it back." The show up was positive and [REDACTED] was ultimately transported to CCSO. Refer Officer Kimme's report for more information.

There were no reported injuries to [REDACTED] and no pre-existing injuries that he made us aware of. No officers were injured during this incident. I was not aware of any level of intoxication or drug use by [REDACTED].

Copied By:		Entered/Filed By:	
Miscellaneous/Leads #s			
Signature of Reporting Officer		APPROVED (Supervisor)	
date		date	
No secondary dissemination without consent from Champaign Police Dept.			
Reporting Officer: YOUNG, CHRISTOPHER		officer's initials _____ approved _____	



CHAMPAIGN POLICE DEPARTMENT

SUPPLEMENTAL REPORT

Page 1 of 3

COPY



SUPPLEMENTAL DETAIL

Case Number CC1203805

Officer Number 7114

Date Entered 04/20/2012

Date/Time of Orig. Rpt. 04/19/2012 12:26

Incident Address 1616 SUMMIT RIDGE CHAMPAIGN

Title of Report: Aggravated Assault/ResistingPO

NARRATIVE

This is a supplemental report to Officer Kimme's original case file C12-3805.

On 04/19/2012, at approximately 1226 hrs, I was wearing a Champaign Police Department Class "B" uniform and operating a fully marked squad car. Officers were dispatched by METCAD to the area of Summit Ridge and Winston, Champaign IL, for a reported armed subject. The reporting party, [REDACTED], advised a black male stolen his cell phone and threatened him with a knife when confronted.

While monitoring radio traffic after arriving in the area, I heard Officer Kimme advise the suspect was running northbound on Cruising near Hedge Road. Shortly thereafter, Officer C. Young, advised he had the suspect on the ground, at gun point, near the intersection of Garden Hills and Hedge Road, specifically the back yard of 1602 Hedge. It would later be determined that [REDACTED] [REDACTED] was positively identified by the victim as being responsible for the theft and subsequent threats.

I proceeded to [REDACTED] in order to assist Officer C. Young with the arrest. Upon arrival, I parked my squad car north of Hedge Road on Garden Hills. I observed Officer C. Young to have [REDACTED] secured in hand cuffs and standing in the back yard of [REDACTED]. I walked towards Officer C. Young in order to assist him with securing [REDACTED] into a squad car.

I observed Officer C. Young to be holding [REDACTED] by his left arm. Officer C. Young was holding Antonio with both of his hands. I attempted to grab [REDACTED] right arm in order to safely and efficiently secure [REDACTED] in my squad car. As I

Reporting Officer: RUSH, MATT R

officer's initials MR approved MR

NARRATIVE CONTD.

NARRATIVE CONTD.

approached [REDACTED], within three (3) feet, he turned his body away from me. I believe that [REDACTED] stated "Don't touch me!" at this time. I side stepped to the left, and was able to securely hold onto his right arm.

Officer C. Young and myself then escorted [REDACTED] towards my squad car, that was approximately 50 feet from where I first made contact with [REDACTED]. As [REDACTED] was being escorted to my squad, he began pulling his arms away from Officer C. Young and myself. I could feel the muscles in [REDACTED]'s right arm tensing and observed [REDACTED] to be clenching his fist. [REDACTED] was instructed by Officer C. Young and myself to remain calm and to stop resisting. [REDACTED] continued to struggle until reaching my squad car.

After reaching my squad car, [REDACTED] was informed he would be secured in the rear of my car. [REDACTED] immediately became irate in that he continued to struggle and said he would not get inside the car. At this time, I attempted to deescalate the situation in telling [REDACTED] that he was only making the situation worse and it was in his best interest to comply with our commands.

[REDACTED] made the statement, "Man, I will beat your ass". During this conversation, Officer C. Young and I switched positions and I was holding onto his left side.

I was approximately 12 inches away from [REDACTED], when I observed [REDACTED] take a deep breath and purse his lips. I believed that [REDACTED] was preparing to spit towards Officer C. Young or myself. I grabbed [REDACTED] by his left tricep and pushed him towards my squad car. As I was pushing [REDACTED] I grabbed the left side of his cheek with my left hand and pushed his face away from Officers, in order to ensure that Officer C. Young and myself were not spit on. Specifically, I felt my thumb press onto his cheek and my finger tips were under the right side of his jaw. The best manner to describe this action is that I had his jaw cradled into my left hand and not applying pressure to [REDACTED]'s throat. At no time did I apply pressure the [REDACTED] throat or

NARRATIVE CONTD.

attempt to choke him in order to gain compliance. I held [REDACTED] in this position for a few seconds and again commanded him to calm down and comply with the orders to sit in my squad car. I held [REDACTED] against my squad car, in a manner that had his chest pinned against the door frame and his head near the light bar.

[REDACTED] screamed "Stop fucking choking me!". It should be noted, that as [REDACTED] was screaming, I still had the pressure on his jaw and chin, in the same manner as I had previously mentioned. After [REDACTED] made this statement, I heard a loud commotion coming from the west, or directly behind me. I turned and saw approximately twenty (20) black males and females standing in the yard of [REDACTED]. It appeared as though most were screaming at the Officers on scene and appeared to be very hostile towards the police presence. I again turned to [REDACTED] and commanded him to sit in my squad car, to which he complied without further incident.

It should be noted, that at no time, did [REDACTED] complain of any injury or pain associated with my contact. In addition, Officer C. Young and myself did not receive any injury during the struggle. After speaking with [REDACTED] while he was seated inside my squad car, it appeared as though he had been consuming alcohol as I could smell the odor of alcoholic beverage on his person.

I then transported [REDACTED] to the Champaign County Sheriff's Department Satellite jail where I released him into the custody of the on duty correctional officer.

I have no further information regarding this investigation.

Copied By:		Entered/Filed By:	
Miscellaneous/Leads #'s			
Signature of Reporting Officer <i>[Signature]</i> 7114	date 04/26/2012	APPROVED (Supervisor) <i>[Signature]</i> 920	date 04-20-12
No secondary dissemination without consent from Champaign Police Dept.			
Reporting Officer: RUSH, MATT R		officer's Initials <i>[Initials]</i> approved <i>[Signature]</i>	